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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

YOUNG TAE BANG, et al.,
Plaintiff(s),

v.

JESUS ELIAS ESPINOZA, et al.,
Defendant(s).

Case No. 2:23-cv-01428-CDS-NJK

Order

[Docket No. 35]

13 Pending before the Court is a stipulation to excuse Defendant Jesus Elias Espinoza from
14 participating in the upcoming settlement conference. Docket No. 35.

15 Quite clearly, the need to have full settlement authority present during a settlement
16 conference is an important threshold requirement. *E.g., Nick v. Morgan's Food, Inc.*, 270 F.3d
17 590, 597 (8th Cir. 2001). That is not the only reason for party attendance, though. A foundational
18 aspect of a settlement conference is the evaluation of the strengths and weaknesses in the case. *Cf.*
19 Local Rule 16-6(f)(1)(E). That evaluation includes the presiding judge's assessment as to how
20 parties who are key fact witnesses will present at trial. *See, e.g., HSBC Bank USA, N.A. v.*
21 *Flamingo 316, LLC*, 2019 WL 2358391, at *3 n.7 (D. Nev. June 4, 2019).¹ That evaluation may
22 also require in-depth discussion of the facts, which is not always limited to the information in the
23 hands of counsel or high-level decisionmakers during the settlement conference. In the Court's
24 experience, obtaining full understanding of the facts may require input from the parties themselves
25 during the settlement conference.

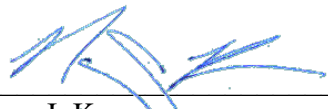
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28 ¹ This case is poised for a jury trial. *See* Docket No. 32 at 16. Evaluating how parties will
present at trial is particularly significant in cases headed to jury trials.

1 The instant request seeks to excuse Defendant Espinoza from the settlement conference.
2 This is car accident case in which Defendants contest liability, Docket No. 32 at 1, and Defendant
3 Espinoza was the driver involved in the crash. While the instant stipulation explains that a
4 corporate representative will appear with full authority at the settlement conference, the stipulation
5 fails to explain why Defendant Espinoza's attendance is not still warranted given the other relevant
6 considerations.

7 Accordingly, the stipulation to excuse Defendant Jesus Elias Espinoza from participating
8 in the upcoming settlement conference is **DENIED** without prejudice.

9 IT IS SO ORDERED.

10 Dated: May 14, 2025

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13 Nancy J. Koppe
14 United States Magistrate Judge
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